

**UNITED STATES DISTRICT COURT FOR THE  
MIDDLE DISTRICT OF NORTH CAROLINA  
1:22-CV-00727-UA-JEP**

KIM NAUGLE and AFRIKA  
WILLIAMS, on behalf of themselves and  
all others similarly situated,

Plaintiffs,

v.

META PLATFORMS, INC.,

-and-

DUKE UNIVERSITY HEALTH  
SYSTEM, INC., WAKEMED, and a  
Defendant Class of Facebook Partner  
Medical Providers,

Defendants.

Case No. 1:22-cv-00727

Oral Argument Requested

**DEFENDANT DUKE UNIVERSITY HEALTH SYSTEM, INC.'S  
MOTION TO DISMISS CLASS ACTION COMPLAINT**

Pursuant to Rules 12(b)(1) and 12(b)(6) of the Federal Rules of Civil Procedure, Defendant Duke University Health System, Inc. (“DUHS”) respectfully moves this Court to dismiss Plaintiffs’ Class Action Complaint (Dkt. No. 1, “Complaint”) as it relates to DUHS because Plaintiffs lack standing and fail to state a claim. The facts and arguments supporting this Motion are set forth in the accompanying Memorandum.

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System, Inc.*

**CERTIFICATE OF SERVICE**

I hereby certify that on this **8th of November 2022**, I electronically filed the foregoing **MOTION TO DISMISS CLASS ACTION COMPLAINT** with the Court using the CM/ECF system, which will automatically serve all attorneys of record via the Courts CM/ECF System.

/s/ Mark E. Anderson

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